

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

KEVIN RAY HOLMES,

Petitioner,

v.

NEVADA DEPARTMENT OF  
CORRECTIONS, *et al.*,

Respondents.

Case No. 3:21-cv-00364-MMD-WGC

ORDER

Kevin Ray Holmes submitted a *pro se* 28 U.S.C. § 2254 habeas petition and an application to proceed *in forma pauperis*. Based on the current information about Holmes' financial status, including any additional information he may have provided, the Court finds that he is able to pay the full \$5.00 filing fee pursuant to 28 U.S.C. § 1915.

It is therefore ordered that Holmes' motion for leave to proceed *in forma pauperis* without having to prepay the full filing fee (ECF No. 1) is denied. Holmes has 30 days from the date this order is entered to have the \$5.00 filing fee sent to the Clerk of Court.

It is further ordered that Holmes' failure to timely pay the filing fee may result in the dismissal of this action.

The Clerk of Court is therefore directed to retain the Petition but not file it at this time.

DATED THIS 19<sup>th</sup> Day of August 2021.



MIRANDA M. DU  
CHIEF UNITED STATES DISTRICT JUDGE